

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

ROBERT CARMELO TORRE,

06-CV-1333-HU

Plaintiff,

ORDER

v.

STATE OF OREGON, TED  
KULONGOSKI, HARDY MYERS,  
and PAUL BURGETT,

Defendants.

ROBERT TORRE  
P.O. Box 307  
Santa Cruz, CA 95061

Plaintiff, *Pro Se*

HARDY MYERS  
Attorney General  
JACQUELINE SADKER  
Assistant Attorney General  
Department of Justice  
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Attorneys for Defendants

**BROWN, Judge.**

Magistrate Judge Dennis James Hubel issued Findings and Recommendation (#14) on April 9, 2007, in which he recommended the Court grant Defendants' Motion to Dismiss (#11). The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b).

When any party objects to any portion of the Magistrate Judge's Findings and Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1). *See also United States v. Bernhardt*, 840 F.2d 1441, 1444 (9<sup>th</sup> Cir. 1988); *McDonnell Douglas Corp. v. Commodore Business Mach., Inc.*, 656 F.2d 1309, 1313 (9<sup>th</sup> Cir. 1981), *cert. denied*, 455 U.S. 920 (1982).

This Court has carefully considered Plaintiff's Objections and concludes they do not provide a basis to modify the Findings and Recommendation. This Court also has reviewed the pertinent portions of the record *de novo* and does not find any error in the Magistrate Judge's Findings and Recommendation.

**CONCLUSION**

The Court **ADOPTS** Magistrate Judge Hubel's Findings and Recommendation (#14) and, accordingly, **GRANTS** Defendants' Motion

to Dismiss (#11).

IT IS SO ORDERED.

DATED this 5<sup>th</sup> day of June, 2007.

/s/ Anna J. Brown

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ANNA J. BROWN  
United States District Judge